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LETTER DATED 3 FEBRUARY 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith the text of a letter dated 2 February 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq, which contains a sample of the category "F" claims submitted to the United Nations Compensation Commission, illustrating the illegal and arbitrary nature of the methodology used by the Commission in processing these unjustified claims.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

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Annex

[Original: Arabic and English]

Letter dated 2 February 1999 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

The secretariat of the United Nations Compensation Commission has transmitted to the Government of Iraq payment orders relating to category "F" claims submitted by the Jordanian Government on behalf of the ministries and government agencies listed below:

1. Ministry of Social Development;
2. Ministry of Supply;
3. Public Security Directorate;
4. Armed Forces;
5. Ministry of Tourism and Antiquities;
6. Civil Aviation Authority;
7. Civil Defence General Directorate;
8. Ministry of Energy and Mineral Resources (Jordan Electric Authority)
9. Ministry of Education;
10. Ministry of Energy and Mineral Resources;
11. Ministry of Finance;
12. Ministry of Health;
13. Ministry of Higher Education;
14. Ministry of the Interior;
15. Ministry of Labour;
16. Ministry of Planning;
17. Ministry of Public Works and Housing;
18. Greater Amman Municipality;
19. Jordan Water Authority;
20. Ministry of Energy and Mineral Resources.

We have noted that the Panel of Commissioners, in consultation with the Compensation Commission secretariat, considered these claims to be part of the large, complex claims for which it had requested reimbursement within 12 months of 23 September 1998. Since a copy of the payment orders was sent to the Government of Iraq without any additional information regarding the nature of the claims, the magnitude of the damage done, the date on which the damage was caused, the amount of compensation claimed and other relevant details, the Government of Iraq will continue to express reservations in respect of decisions taken concerning compensation of the aforementioned ministries so long as no details are provided regarding the ministries' claims and the Government of Iraq is not allowed to express its opinion or make its views on the matter clearly known to the Commissioners and the Governing Council of the Commission in order to defend its rights and uphold the financial interests of the Iraqi people.

The Iraqi Government, while drawing your attention to this matter, wishes to highlight the arbitrary and illegal methods used by the Commission in processing the claims submitted to it. Indeed, proceeding in this manner denies the Government of Iraq access to the most basic information that would have enabled it to comment on the claims, express its opinion or present its views thereon. Accordingly, the Government of Iraq urges you to intervene, in keeping with your legal responsibilities, to ensure that the Compensation Commission adopts procedures that are consistent with the legal rules embodied in international law and jurisprudence and stops squandering the wealth of the Iraqi people.

(Signed) Mohammed Said AL-SAHAF